Supreme Court, U.S.
FILED
JUN 25 1986
JOSEPH F. SPANIOL, JR.
CLERK

No. 85-2033

IN THE

Supreme Court of the United States

OCTOBER TERM, 1985

NINTH STREET COMMUNITY PAVING PROJECT COMMITTEE, *et al.*,
Appellants,

v.

THE CITY OF IRONTON, OHIO, *et al.*,
Appellees.

ON APPEAL FROM THE SUPREME COURT OF THE STATE OF OHIO

APPELLEES' RESPONSE IN SUPPORT OF APPELLANTS' JURISDICTIONAL STATEMENT

Charles and Gloria Carlisle
923 S. Ninth Street
Ironton, Ohio 45638

William and Jane Carter
908 S. Eighth Street
Ironton, Ohio 45638

Greater Emmanuel Church
808, 809 & 814 Quincy Avenue
Ironton, Ohio 45638

Kenneth Lisath
624 S. Tenth Street
Ironton, Ohio 45638

Dorothy, Charles & Pamela Payne
615 S. Seventh Street
Ironton, Ohio 45638

Richard & Elaine Payne
1125 S. Tenth Street
Ironton, Ohio 45638

PRO SE APPELLEES

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RESPONSE

Appellees, Charles and Gloria Carlisle, William and Jane Carter, Greater Emmanuel Church, Kenneth Lisath, Dorothy, Charles and Pamela Payne, and Richard and Elaine Payne, all of whom were parties to this proceeding below, state that they received a copy of the Appellants' Jurisdictional Statement on June 18, 1986.

Appellees, Charles and Gloria Carlisle also state that the stipulated record below erroneously identifies them as having received service of notice on April 1, 1976 when their notice was actually returned to the City of Ironton as

unclaimed and as a result they were not listed as Appellants. Charles and Gloria Carlisle now urge this Court for the same reasons set forth by the Appellants' in their Jurisdictional Statement, to grant jurisdiction of this appeal, or in the alternative grant a writ of certiorari.

Appellees, William and Jane Carter, Greater Emmanuel Church, Kenneth Lisath, Dorothy, Charles and Pamela Payne and Richard and Elaine Payne, state to the Court that although they did not contact counsel for the Appellants for purposes of the appeal, they also were not timely served with notice of the street assessments and urge this Court for the same reasons set forth by the Appellants, in their Jurisdictional Statement, to note jurisdiction of this appeal, or in the alternative, grant a writ of certiorari.

CONCLUSION

As stated above, this Court should note probable jurisdiction of this appeal, or in the alternative, grant a writ of certiorari.

All Appellees below authorize and designate Kenneth Lisath of 624 S. Tenth Street, Ironton, Ohio 45638, (614) 533-3353, as their representative for purposes of further notice.

Respectfully submitted

Charles and Gloria Carlisle
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June, 1986